

Appl. No. 09/937,874

Reply to Office Action of November 16, 2005

REMARKS

This Response is being filed in reply to the outstanding Office Action dated November 16, 2005, issued in the above-identified application. Presently, claims 1-3, 5-9, 11-15, 17-21, 23-27 and 29-30 are pending in the application. Claims 4, 10, 16 and 22 were canceled, without prejudice. With this Response, claims 1-2, 25-27 and 29-30 have been amended. No new matter has been introduced by the amendments to the claims, thus, entry and favorable reconsideration are respectfully requested.

I. Response To Claim Rejections

Claims 1-3, 5-9, 11-15, 17-21, 23-27 and 29-30 stand rejected under 35 U.S.C. §102(e) as being anticipated by Wright et al. (US Patent 6,366,776, hereafter "Wright"). The Applicants respectfully traverse the above rejections.

To expedite prosecution, The Applicants have herein amended independent claims 1 and 25 to further distinguish the present invention from Wright. In particular, claims 1 and 25 have been amended to point out that the power level measurement of the transmission burst is based on a measurement expressed as a signal-to-noise ratio, and that the power level measurement as well as the transmission of a message regarding the power level measurement are performed by a terminal. The above features of the present invention are also recited in independent claims 7, 13 and 19 as previously presented.

More specifically, the present invention as recited in claims 1, 7, 13, 19 and 25 is directed to an apparatus, system, method and computer-readable medium for performing a closed-loop power control process that allows for real-time adjustment of power at a terminal. In particular, upon receipt of a transmission burst at a terminal, the power level of the burst is measured and expressed in terms of a signal-to-noise (S/N) ratio value. The terminal receiving the transmission burst provides a control message regarding the measurement to the transmitting terminal that can then be used for power level adjustments. (See, Applicants' application, ¶172-¶174). These features of the present invention are noted believed to be disclosed by Wright.

To the contrary, Wright discloses an end-to-end transmission technique for processing satellite systems. In Wright, information about data traffic transmission errors detected in a satellite are formed into ATM traffic report cells, which are sent on a downlink to a ground

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terminal. The traffic report cells are then used to adjust the power level of an IF amplifier at the ground terminal. (See, Wright, Abstract).

In the Office Action, the Examiner relies on Wright specifically at Col. 11, lines 29-35, Col. 15, lines 7-9 and Col. 18, lines 28-29 for disclosing the power level measurement of a transmission burst based on the measurement of the S/N ratio, as claimed. However, the above sections of Wright relied on by the Examiner fall short of the present invention for at least the following reasons.

First, Col. 15, lines 7-9 disclose a synch burst processor that measures received energy and time of arrival at the satellite. The measured energy, however, appears to be based on raw signal power that is provided as feedback. The feedback is not based on a measurement of S/N ratio, and the energy is clearly measured by the satellite. (See also, Wright, Figs. 8 and 9).

Second, Col. 11, lines 29-35 and Col. 18, lines 28-29 of Wright merely make reference to S/N ratio with respect to a bit error rate and with respect to a symbol frame marker. In fact, none of the above sections of Wright disclose measuring signal power based on a S/N ratio, let alone using such a measurement for adjusting the transmitting power of a terminal. To the contrary, Wright most clearly discusses power adjustment of a terminal at Col 25, line 22-Col. 26, line 63. In Col 25, line 22-Col. 26, line 63, Wright discloses the collection of power nibbles that are packed into ATM synchronization report cells and then transmitted to the ground terminal. The collection of the power nibbles and the construction of the report cells are clearly done at the satellite. (See also, Wright, Fig. 9). Once the report cells are received by the ground terminal they are decoded and used to adjust the power level of the IF amplifier at the ground terminal.

Therefore, the power adjustment disclosed in Wright appears to be quite different from that of the present invention. In particular, all references to S/N ratio in Wright have nothing to do with power adjustment of a ground terminal. Additionally, the only power adjustment clearly disclosed by Wright (albeit not based on a measure of S/N ratio) is based on measurements taken by and transmitted from a satellite, not a ground terminal.

Therefore, independent claims 1, 7, 13, 19 and 25 are believed to be clearly distinguishable over Wright for at least the reasons noted above. Likewise, dependent claims 2-3, 5-6, 8-9, 11-12, 14-15, 17-18, 20-21, 23-24, 26-27 and 29-30 are also believed to be clearly

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distinguishable over Wright based on their respective dependencies on independent claims 1, 7, 13, 19 and 25.

II. Conclusion

In light of the above, the Applicants respectfully submit that claims 1-3, 5-9, 11-15, 17-21, 23-27 and 29-30 are both novel and non-obvious over the prior art of record. The Applicants respectfully request that a timely Notice of Allowance be issued in this case. If any additional fees are due in connection with this application as a whole, the Commissioner is authorized to deduct such fees from deposit account no. 02-1818. If such a deduction is made, please indicate the attorney docket no. (0115426-938) on the account statement.

Respectfully submitted,
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